(F100)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W. P.(S). NO. 1346 /2007

PETITIONER : **Santosh Kumar Tamboli**

Age about 43 year, Lower Division Teacher

S/o Shri Shyam Lal Tamboli

Middle School Navapara Kothari, Tahsil-Kartala

Block. -Kartala, Distt. - Korba (C.G.)

VERSUS

RESPONDENTS :

1. **State Govt. of Chhattisgarh**
   Through Secretary,
   Educational & Tribal Department
   D.K.S. Bhawan, Distt.-Raipur (C.G.)
2. **District Education Officer**
   Korba, District-Korba (C.G.)
3. **Block Education Officer**
   Kartala, District-Korba (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) No. 1346 of 2007

Petitioner : Santosh Kumar Tamboli

Versus

Respondents : State Govt. of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Mr. Ajay Shrivastava, Advocate for the petitioner.
Mr. Sushil Dubey, Government Advocate for the State/respondents.

ORDER

(Passed on this 8th Day of March, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner is working as Lower Division Teacher. The petitioner has obtained B.T.I. Examination certificate in the year 1991, on his own expenses.

2. Learned counsel appearing for the petitioner submits that the question involved, herein asto whether the teacher, who obtained B.T.I. Examination Certificate on his own expenses, is entitled to two advance increments.

3. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers,

who had obtained B. Ed. /B.T.I. Examination Certificate on their own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

5. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioner has acquired B.T.I. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash